

10-23-84
12.3.8 v.3



ASH GROVE CEMENT WEST, INC.

Inter-Office Memorandum

Date October 23, 1984

To Erik Voldbaek ✓

From Ken Rone

Copies to George Wells ✓

Subject Monsanto VBLS Agreement

Earl Wheeler ✓

I have attached three originals, for signature by the appropriate officer, of a document which Monsanto Company believes will properly assign the March 26, 1980, VBLS contract to Ash Grove.

As you may recall Erik, Exhibit II Sec. 4 of the "Asset Purchase Agreement between Lone Star Industries, Inc. and Ash Grove Cement Company", indicated the VBLS agreement was "silent with respect to assignment". Page 6 of this Exhibit goes on to presume that the contract is "freely transferable". Well, that is not how Monsanto saw it. If they felt Ash Grove would not have performed under this contract, they were prepared to hold Lone Star liable.

Fortunately, after discussion, Monsanto became convinced that assignment to Ash Grove was indeed the intent of both parties. With additional research into Ash Grove's financial status, they are ready to "formally" assign the contract to us.

If you would please forward the three executed originals to me, I will return them to Monsanto for further signatures, after which we will receive a completed original.

Attachments 

KJR:Imb

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